

Message Text

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FM SECSTATE WASHDC
TO AMEMBASSY SAN JOSE IMMEDIATE

C O N F I D E N T I A L STATE 028455

E.O. 11652: GDS

TAGS: EFIS, PFOR, IATTC

SUBJECT:1978 CONSERVATION PROGRAM OF THE INTER-AMERICAN
TROPICAL TUNA COMMISSION.

1. EMBASSY BEING ADVISED SEPTEL OF RESULTS OF SPECIAL
IATTC MEETING HELD IN SAN DIEGO, JAN. 25-26. FOLLOWING IS
MORE DETAILED EXPLANATION OF SITUATION, PARTICULARLY AS
THIS RELATES TO COSTA RICA.

2. BECAUSE OF THE DIFFICULTY PRESENTED BY THE REQUEST OF
COSTA RICA REGARDING ITS SPECIAL CLOSED SEASON ALLOCATION,
AGREEMENT ON THE IATTC MANAGEMENT REGIME FOR TUNA HAS NOT
BEEN POSSIBLE. SPECIFICALLY, COSTA RICA, WHICH IN 1977
WAS AUTHORIZED TO FISH ITS 6,000 TON BOAT ALLOCATION WITH
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VESSELS UP TO 1,000 TONS CARRYING CAPACITY, REQUESTED FOR
1978 AN ADDITIONAL 9,000 TON SPECIAL CLOSED SEASON ALLOCA-
TION WHICH WOULD APPLY IN ADDITION TO THE 6,000 TONS. IT
IS ESTIMATED BY THE IATTC AND CONFIRMED FROM OTHER SOURCES
THAT COSTA RICA WILL PROBABLY ADD AROUND 4,000 TONS CARRY-
ING CAPACITY TO ITS 1977 FLEET OF AROUND 620 TONS. MUCH OF

THIS NEW TONNAGE HAS ALREADY BEEN ADDED TO COSTA RICAN FLEET.

3. CATCH BY COSTA RICA DURING 1977 WAS PRACTICALLY NEGLIGIBLE, LESS THAN 1,000 TONS. FOR 1978, INCLUDING OPEN SEASON CATCH AND LAST FREE TRIP, COSTA RICAN VESSELS WOULD HAVE THE OPPORTUNITY TO TAKE UP TO 12,000 TONS WITH ONLY A RELATIVELY MINOR MODIFICATION OF THE 1977 RESOLUTION. IT APPEARS HIGHLY UNLIKELY THAT COSTA RICAN VESSELS WILL BE ABLE TO CATCH EVEN THIS AMOUNT DURING 1978. IT IS IMPORTANT TO NOTE THAT ALLOCATIONS ONLY PERTAIN TO FISHING FOR YELLOWFIN TUNA, AND THAT CATCHES OF SKIP-JACK TUNA (WHICH IS NEARLY AS VALUABLE AS YELLOWFIN) SHOULD PROVIDE COSTA RICAN VESSELS WITH AN ADDITIONAL TUNA CATCH OF 6-12,000 TONS. AT SAN DIEGO MEETING U.S. MADE PROPOSAL, TEXT OF WHICH IS REPRODUCED PARA. 4 BELOW, WHICH WOULD ESSENTIALLY MODIFY RESOLUTION TO PERMIT COSTA RICAN VESSELS OF ANY SIZE TO TAKE 6,000 TON CLOSED SEASON ALLOCATION. RESOLUTION ALSO PROVIDES THAT, SHOULD THIS APPEAR INADEQUATE DURING COURSE OF YEAR A SPECIAL MEETING WOULD BE HELD TO CONSIDER SOLUTION. WE BELIEVE OUR POSITION TO BE AN EMINENTLY RATIONAL ONE AS OBVIOUSLY DO OTHER IATTC COUNTRIES WHICH, WITH EXCEPTION OF COSTA RICA, HAVE AGREED TO OUR PROPOSED RESOLUTION.

4. IN ADDITION TO THE PROBLEM WHICH WE HAVE ON THE AMOUNT REQUESTED BY COSTA RICA IN LIGHT OF ITS ACTUAL NEEDS FOR CONFIDENTIAL

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1978, WE HAVE OPPOSED COSTA RICA'S REQUEST BECAUSE WE BELIEVE IT WOULD PREJUDICE THE NEGOTIATIONS BEGUN IN SAN JOSE IN SEPT. TO NEGOTIATE A NEW TREATY TO CONSERVE AND MANAGE TUNA IN THE EASTERN TROPICAL PACIFIC. BECAUSE OF THESE ONGOING NEGOTIATIONS WE BELIEVE THERE SHOULD NOT BE DURING 1978 A RADICAL AND PREJUDICIAL DEPARTURE FROM THE PAST PATTERNS OF ALLOCATIONS ESTABLISHED PURSUANT TO THE PRESENT IATTC REGIME. MEXICO AND OTHER LATIN MEMBERS HAVE AGREED IN PRINCIPLE TO THIS POINT AND HAVE AGREED TO ALLOCATIONS WHICH ARE IN THE LINE WITH CRITERIA ESTABLISHED BY PRESENT REGIME. IN FACT, MEXICAN ALLOCATION ONLY EXCEEDS THEIR THEORETICAL YELLOWFIN CATCH POTENTIAL UNDER 1977 QUOTAS BY 1,500 TONS, MAKING COSTA RICAN POSITION SEEM ALL THE MORE UNREASONABLE.

5. TEXT OF U.S. PROPOSAL--BEGIN TEXT...PROPOSAL FOR THE 1978 RESOLUTION OF THE INTER-AMERICAN TROPICAL TUNA COMMISSION (IN LIEU OF ITEMS 7 AND 9 IN THE 1977 IATTC RESOLUTION:)

7. PERMIT DURING THE CLOSED SEASON FOR 1978:

(A) (1) THE FLAG VESSELS OF COSTA RICA, PANAMA, AND NICARAGUA, WHICH BECAUSE OF CHARACTERISTICS SUCH AS SIZE,

GEAR, OR FISHING TECHNIQUES, PRESENT SPECIAL PROBLEMS, TO FISH UNRESTRICTED FOR YELLOWFIN TUNA UNTIL 6,000 SHORT TONS OF YELLOWFIN TUNA ARE TAKEN BY SUCH VESSELS OF EACH COUNTRY.

(2) THOSE MEMBER GOVERNMENTS OF THE COMMISSION REFERRED TO IN PARAGRAPH 7(A)(1) WHICH ARE DEVELOPING NATIONS WHOSE FISHERIES ARE IN AN EARLY STAGE OF DEVELOPMENT AND WHICH HAVE THE POSSIBILITY DURING 1978 OF ACQUIRING ONE OR MORE FISHING VESSELS THAT PRESENT SPECIAL PROBLEMS BECAUSE OF THE SIZE, GEAR AND FISHING TECHNIQUES, TO REQUEST THROUGH THE COMMISSION A STUDY OF THE SPECIFIC
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PROBLEM AND A RECOMMENDATION FOR A SOLUTION. UNLESS ALL MEMBER GOVERNMENTS EXPRESS AGREEMENT WITH THE PROPOSED SOLUTION, SUCH GOVERNMENT SHALL, JOINTLY OR INDIVIDUALLY, BY THE SAME AGENCY, REQUEST A MEETING OF A SPECIAL WORKING GROUP OF ALL MEMBERS OF THE COMMISSION WITH THE PURPOSE OF FINDING A SATISFACTORY SOLUTION. BOTH CONSULTATIONS MAY BE TRANSMITTED TELEGRAPHICALLY TO ALL MEMBER COUNTRIES, AND THEIR REPLY SHALL BE TRANSMITTED WITHIN 10 DAYS.

(B) THE FLAG VESSELS OF THOSE MEMBERS OF THE COMMISSION NOT REFERRED TO IN PARAGRAPH 7(A) WHICH ARE DEVELOPING COUNTRIES AND WHOSE FISHERIES ARE IN THE EARLY STAGE OF DEVELOPMENT (THAT IS, WHOSE TUNA CATCH IN THE CONVENTION AREA IN 1970 DID NOT EXCEED 12,000 SHORT TONS AND WHOSE TOTAL FISH CATCH IN 1969 DID NOT EXCEED 400,000 METRIC TONS) WHICH, BECAUSE OF CHARACTERISTICS SUCH AS SIZE, GEAR, OR FISHING TECHNIQUES, PRESENT SPECIAL PROBLEMS, TO FISH UNRESTRICTED FOR YELLOWFIN TUNA UNTIL THE AGGREGATE CATCH OF YELLOWFIN TUNA BY SUCH MEMBER COUNTRIES TAKEN DURING ALL OF 1978 REACHES 26,500 TONS.

(C) THE FLAG VESSELS OF THOSE MEMBERS OF THE COMMISSION NOT REFERRED TO IN PARAGRAPH 7(A) OR 7(B) WHICH ARE LESS THAN 400 SHORT TONS CAPACITY, OR WHICH ENTERED THE YELLOWFIN FISHERY PRIOR TO JANUARY 1, 1960, TO FISH UNRESTRICTED UNTIL 6,000 SHORT TONS OF YELLOWFIN TUNA ARE TAKEN BY SUCH VESSELS OF EACH COUNTRY OR TO FISH FOR YELLOWFIN UNDER SUCH RESTRICTIONS AS MAY BE NECESSARY TO LIMIT THE CATCH OF YELLOWFIN TUNA BY SUCH VESSELS OF EACH COUNTRY TO 6,000 SHORT TONS. THE VESSELS REFERRED TO IN PARAGRAPH 7(A), 7(B), AND 7(C) SHALL BE PERMITTED TO LAND AN INCIDENTAL CATCH OF YELLOWFIN TUNA TAKEN IN THE CATCH OF OTHER SPECIES IN THE CYRA ON EACH TRIP COMMENCED

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AFTER THE AMOUNTS REFERRED TO IN PARAGRAPHS 7(A)(1), 7(B), AND 7(C) HAVE BEEN CAUGHT. THE VESSELS WHICH SHALL BE ELIGIBLE FOR SUCH FISHING AND THE AMOUNT EACH VESSEL IS PERMITTED TO LAND AS AN INCIDENTAL CATCH SHALL BE

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DETERMINED BY THE GOVERNMENT WHICH REGULATES THE FISHING ACTIVITIES OF SUCH VESSELS PROVIDED THAT THE AGGREGATE OF THE INCIDENTAL CATCHES OF YELLOWFIN TUNA TAKEN BY SUCH VESSELS OF EACH COUNTRY SO PERMITTED SHALL NOT EXCEED 15 OF THE TOTAL CATCH TAKEN BY SUCH VESSELS OF EACH COUNTRY DURING TRIPS COMMENCED AFTER THE AMOUNTS REFERRED TO IN PARAGRAPHS 7(A)(1) 7(B), AND 7(C) HAVE BEEN CAUGHT. END TEXT.

6. ACTION REQUESTED: DEPT. BELIEVES AMBASSADOR SHOULD APPROACH FONMIN FACIO TO URGE COSTA RICA TO AGREE TO PROPOSAL MADE AT SAN DIEGO FOR A 1978 CONSERVATION AND MANAGEMENT PROGRAM. IN ADDITION TO DRAWING ON ABOVE INFO IN MAKING APPROACH, AMBASSADOR MAY WISH TO CONSIDER EMPHASIZING FOLLOWING POINTS:

S (A) COSTA RICAN REQUEST IS, BY ALL REASONALBE ESTIMATES, WELL BEYOND THE ACTUAL NEEDS OF ITS TUNA VESSELS IN 1978. IF RESOLUTION PROPOSED PROVES TO BE A PROBLEM DURING COURSE OF YEAR, WHICH IS VERY UNLIKELY, A SPECIAL MEETING CAN BE HELD TO CONSIDER SOLUTION TO PROBLEM.

(B) COSTA RICAN REQUEST IS, IN THE U.S. VIEW, PREJUDICIAL TO ONGOING NEGOTIATIONS TO CREATE A NEW TREATY TO CONSERVE AND MANAGE TUNA IN THE EASTERN PACIFIC OCEAN. THE U.S. BELIEVES IT IS IMPORTANT THAT A DISTINCTION BETWEEN THE PRESENT SYSTEM AND SOME FUTURE ONE BE MAINTAINED, AND THAT THE FINAL OUTCOME OF THE LONG-TERM NEGOTIATIONS NOT BE ANTICIPATED BY RADICALLY DIFFERENT PROPOSALS FOR 1978.

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(C) PERHAPS MOST IMPORTANT OF ALL, FAILURE OF COSTA RICA TO MODIFY ITS 1978 REQUEST WILL RESULT IN NO CONSERVATION CONTROLS ON YELLOWFIN FISHERY DURING 1978. THIS COULD RESULT IN OVERFISHING OF THE TUNA STOCKS TO THE DETRIMENT OF ALL NATIONS CONCERNED. ALL OTHER IATTC

MEMBERS HAVE RECOGNIZED THIS FUNDAMENTAL PROBLEM AND HAVE,
ACCORDINGLY, AGREED TO A TRANSITIONAL PROGRAM FOR 1978.

7. DEPT. IS AWARE THAT ELECTIONS ARE TAKING PLACE IN COSTA
RICA ON FEB. 5 AND THIS FACT MAY IMPACT ON GOCR POSITION.
THERE WERE SOME INDICATIONS IN SAN DIEGO THAT UPCOMING
ELECTIONS MAY HAVE BEEN FACTOR CONTRIBUTING TO
INFLEXIBILITY OF COSTA RICAN DELEGATION. DEPT.
LEAVES TO DISCRETION OF EMBASSY ADVISABILITY OF MAKING
APPROACH TO GOCR BEFORE OR AFTER ELECTIONS. ALSO, IF
EMBASSY CONSIDERS IT ADVISABLE AND PROBLEM IS NOT RESOLVED
WITHIN THE NEXT 10 DAYS, DEPT. WOULD BE PREPARED TO SEND

DEPUTY ASST. SECY. NEGROPONTE TO DISCUSS MATTER WITH FACIO
AND OTHER HIGH LEVEL GOCR OFFICIALS, THOUGH SUCH AN EFFORT
SHOULD AWAIT OUTCOME OF AMBASSADOR'S REPRESENTATIONS.
NEGROPONTE COULD COME TO SAN JOSE MONDAY, FEB. 13, ON
PAN AM FLIGHT ARRIVING AT 7:05 P.M. AND DEPART SAN JOSE ON
WEDNESDAY, FEB. 15 AT 8:40 A.M. VANCE

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